
Committee Stage: Wednesday 20 December 2023

Safety of Rwanda (Asylum and Immigration) Bill

(Amendment Paper)

This document lists all amendments tabled to the Safety of Rwanda (Asylum and Immigration) Bill. Any withdrawn amendments are listed at the end of the document. The amendments are arranged in the order in which it is expected they will be decided.

★ New Amendments.

New Amendments: 9 and NC1

DAY 1

CLAUSES 2 AND 4; NEW CLAUSES AND NEW SCHEDULES RELATING TO THE
SUBJECT MATTER OF THOSE CLAUSES

Mr Rob Roberts

1

Clause 2, page 2, line 34, at end insert—

“(1A) The Secretary of State must lay a report before Parliament no later than one year after this Act is passed, and at least once in every subsequent calendar year, on whether in the judgement of His Majesty's Government the Republic of Rwanda is a safe country.”

Member's explanatory statement

This amendment requires the Secretary of State to monitor on an ongoing basis whether Rwanda remains a safe country and to report the outcome to the House.

Mr Rob Roberts

2

Clause 4, page 4, line 27, at end insert —

- “(2A) Any review or appeal under subsection (1) may be considered only after the person in question has arrived in Rwanda.
- (2B) The Secretary of State may provide any necessary technical assistance, including access to video-links, to the person in question if it appears reasonable to a Minister of the Crown that such assistance should be provided in order to enable the person in question to request a review or make an appeal after their arrival in Rwanda.
- (2C) The Secretary of State may provide any necessary incidental or medical assistance to the person in question if it appears reasonable, in the circumstances of that individual person in question, to a Minister of the Crown that such assistance should be provided in order to enable the person in question to travel to, and if necessary to be looked after or quarantined following arrival in, the Republic of Rwanda.
- (2D) Any decision by a Minister of the Crown in relation to subsection (2B) or (2C) shall be final for all purposes and may not be considered or questioned in any tribunal or court.”

Member's explanatory statement

This amendment would allow reviews and appeals to take place only after the person had reached Rwanda; allow video-links for an appeal made from Rwanda; authorise the provision of any necessary medical help or quarantine on the way and if necessary after arrival in Rwanda; and prevent the courts from questioning decisions on assistance made by Ministers.

Mr Rob Roberts

3

Clause 4, page 4, line 27, leave out subsection (3) to (6) and insert—

- “(2E) No order for an interim remedy under this section may be made by any tribunal or court.”

Member's explanatory statement

This amendment seeks to ensure that the courts cannot prevent removals to Rwanda, and cannot require return to the UK before an appeal or review has been completed.

DAY 2

CLAUSES 3 AND 5 TO 10; REMAINING NEW CLAUSES AND NEW SCHEDULES;
 CLAUSE 1; REMAINING PROCEEDINGS ON THE BILL

Mr Alistair Carmichael 6

Page 3, line 21, leave out Clause 3

Mr Alistair Carmichael 7

Clause 5, page 5, line 12, leave out subsection (2)

Member's explanatory statement

This amendment would omit the provision that only a Minister of the Crown can decide whether the United Kingdom will comply with interim measures of the European Court of Human Rights.

Mr Alistair Carmichael 8

Clause 5, page 5, line 15, leave out subsection (3)

Member's explanatory statement

This amendment would remove the requirement that a court or tribunal must not have regard to the interim measure when considering any application or appeal which relates to a decision to remove the person to the Republic of Rwanda.

Stella Creasy 9

★ Clause 5, page 5, line 23, at end insert—

- “(5) The Government must, within three months of this Act receiving Royal Assent, lay before Parliament a copy of a report setting out how this clause is compatible with Section 7A of the European Withdrawal Act and the UK’s obligations to citizens under the Good Friday Agreement.
- (6) Within three sitting days of a report being laid under subsection (5) the Government must move in each House an amendable motion that that House has considered and approved the report which has been laid.
- (7) Subsections (2) and (3) do not come into force until such as time as both Houses have passed motions under subsection (6) approving reports laid under subsection (5).”

Patrick Grady

4

Clause 8, page 6, line 23, leave out “Scotland”

Member's explanatory statement

The intention of this amendment is to prevent the Bill affecting the law in Scotland.

Patrick Grady

5

Clause 8, page 6, line 25, after “within” insert “the rest of”

Member's explanatory statement

The intention of this amendment is to ensure that any amendment made by any Act resulting from this Bill would affect only the rest of the UK, and not Scotland (see Amendment 4).

Stella Creasy

NC1

★ To move the following Clause—

“Monitoring and enforcement of conditions

- (1) If the conditions of subsection (2) are met, then no provision of this Act shall have effect until such as time as each House of Parliament has passed a motion noting that report and agreeing that the Act remain in effect.
- (2) The conditions of this subsection are that the Monitoring Committee has—
 - (a) published a report noting that any provision of the UK-Rwanda treaty is not being adhered to by either party,
 - (b) published a report noting that the conditions under which asylum seekers are being held in Rwanda are materially different to those in place at the point where the UK-Rwanda treaty was signed, or
 - (c) failed to publish a report in the last six months confirming that neither (2)(a) or (2)(b) have in their view been necessary.
- (3) For the purposes of this section, the Monitoring Committee refers to the Committee established by Article 15 of the UK-Rwanda treaty: provision of an asylum partnership.”

Order of the House

[12 December 2023]

That the following provisions shall apply to the Safety of Rwanda (Asylum and Immigration) Bill:

Committal

1. The Bill shall be committed to a Committee of the whole House.

Proceedings in Committee of the whole House, on Consideration and on Third Reading

2. Proceedings in Committee of the whole House, any proceedings on Consideration and proceedings on Third Reading shall be completed either in two days or in three days, in accordance with the following provisions of this Order.
3. Proceedings in Committee—
 - (a) shall be taken on each of the first and second days in the order shown in the first column of the following Table, and
 - (b) shall (so far as not previously concluded) be brought to a conclusion at the times specified in the second column of the Table.

Proceedings	Time for conclusion of proceedings
First day	
Clauses 2 and 4; new Clauses and new Schedules relating to the subject matter of those Clauses	Six hours after the commencement of proceedings on the Bill on the first day.
Second day	
Clauses 3 and 5 to 10; remaining new Clauses and new Schedules; Clause 1; remaining proceedings on the Bill	Six hours after the commencement of proceedings on the Bill on the second day.

4. If there are no proceedings on Consideration, proceedings on Third Reading shall be taken on the second day, and shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement.
5. If there are proceedings on Consideration—
 - (a) those proceedings shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the third day, and
 - (b) proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.

Programming committee

6. Standing Order No. 83B (Programming committees) shall not apply to proceedings in Committee of the whole House, to any proceedings on Consideration or to proceedings on Third Reading.

Other proceedings

7. Any other proceedings on the Bill may be programmed.